

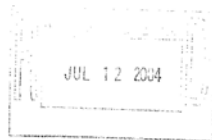
Comment Letter O014

O014



Advocates for Coe Park
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California High-Speed Rail Authority
Draft Program EIR/EIS Comments
925 L Street, Suite 1425
Sacramento CA, 95814



July 9, 2004

Sent Via Certified Mail
Receipt No. 7001-0320-0005-0098-5547

Re: Comments to the Draft EIR/EIS for the Proposed California High-Speed Train System

Dear Mr. Leavitt:

This letter is our official response and comments regarding the document titled:

Draft Program Environmental Impact
Report/Environmental Impact Statement (EIR/EIS) for the *Proposed* California
High-Speed Train System

Prepared by:

California High Speed Rail Authority
and
USDOT Federal Railroad Administration

Dated January 2004

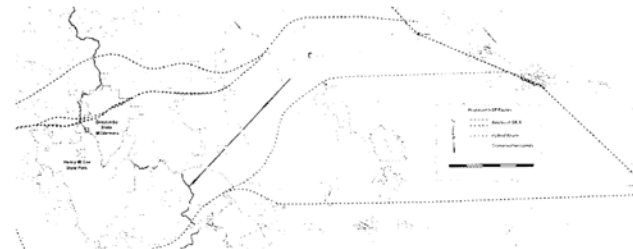
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The intent of the California Environmental Quality Act and its Federal counter-part, NEPA, is to maintain and improve the quality of our environment for our physical and mental well being while advancing our economic and social interests. We believe that the environment will be best served by honoring our past commitments to areas we have purposefully set aside for preservation and protection. There are four alignments studied in the Draft EIR/EIS to connect Merced to San José. These alignments are referred to as:

- Northern Tunnel Alignment
- Tunnel Under [Henry Coe State] Park Alignment
- Minimize Tunnel [through Henry Coe State Park] Alignment
- Pacheco Pass Alignment

All of these proposed alignments severely impact areas that have been set aside for preservation and protection. These areas also provide critical habitat for numerous plant and animal species.

We desire to contribute to a solution of this problem rather than merely criticize it. Therefore, we propose a hybrid route that seeks to avoid or minimize damage to the areas known to us as currently protected and to avoid the creation of a new transportation corridor through the Mount Hamilton range. The following map¹ depicts our suggested alignment in red, the Northern Tunnel Alignment, the Tunnel Under the Park Alignment, and the Pacheco Pass Alignments in blue, and the Minimize Tunnel Alignment in black. We will describe our proposed hybrid route and its attributes in more detail towards the end of this letter.



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Legislative Intent of the California Environmental Quality Act (CEQA)

Since the proposed high-speed rail system will span hundreds of miles, connecting many communities and shape California's transportation plans for the foreseeable future, it is essential for the Draft Program Level EIR/EIS to present a comprehensive macro-level analysis. Therefore, we will start our assessment of the EIR/EIS with an analysis of the legislative intent behind CEQA. Fortunately, the legislature memorialized their intent in Public Resource Code articles 21000 and 21001. These are listed below in their entirety, with underlining added to emphasize points germane to our comments, which follow.

¹ An enlarged map is in Appendix B.

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It is clear the legislature intended us to focus on the macro issues.

§ 21000. Legislative intent

The Legislature finds and declares as follows:

- (a) The maintenance of a quality environment for the people of this state now and in the future is a matter of statewide concern.
- (b) It is necessary to provide a high-quality environment that at all times is healthful and pleasing to the senses and intellect of man.
- (c) There is a need to understand the relationship between the maintenance of high-quality ecological systems and the general welfare of the people of the state, including their enjoyment of the natural resources of the state.
- (d) The capacity of the environment is limited, and it is the intent of the Legislature that the government of the state take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached.
- (e) Every citizen has a responsibility to contribute to the preservation and enhancement of the environment.
- (f) The interrelationship of policies and practices in the management of natural resources and waste disposal requires systematic and concerted efforts by public and private interests to enhance environmental quality and to control environmental pollution.
- (g) It is the intent of the Legislature that all agencies of the state government which regulate activities of private individuals, corporations, and public agencies which are found to affect the quality of the environment, shall regulate such activities so that major consideration is given to preventing environmental damage, while providing a decent home and satisfying living environment for every Californian.

So, the legislature recognizes that *what is pleasing to the intellect of man* is important (to our mental health and wellbeing) and, therefore, intends CEQA to foster "pleasing the intellect" at a level equal to that of providing a healthful environment for the citizens of California. They recognize that maintenance of high-quality (complete) ecosystems is important to our general health and welfare, as is our ability to enjoy the natural resources of the State. The legislature also created State Parks and Wilderness Areas to achieve these objectives. Therefore, decision makers, when selecting alternatives that affect State Parks and Wilderness Areas, should give major consideration in favor of maintaining the integrity of these areas of high ecological value.

§ 21001. Additional legislative intent

The Legislature further finds and declares that it is the policy of the state to:

- (a) Develop and maintain a high-quality environment now and in the future, and take all action necessary to protect, rehabilitate, and enhance the environmental quality of the state.
- (b) Take all action necessary to provide the people of this state with clean air and water, enjoyment of aesthetic, natural, scenic, and historic environmental qualities, and freedom from excessive noise.

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- (c) Prevent the elimination of fish or wildlife species due to man's activities, insure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities and examples of the major periods of California history.

- (d) Ensure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian, shall be the guiding criterion in public decisions.

- (e) Create and maintain conditions under which man and nature can exist in productive harmony to fulfill the social and economic requirements of present and future generations.

- (f) Require governmental agencies at all levels to develop standards and procedures necessary to protect environmental quality.

- (g) Require governmental agencies at all levels to consider qualitative factors as well as economic and technical factors and long-term benefits and costs, in addition to short-term benefits and costs and to consider alternatives to proposed actions affecting the environment.

State Wilderness Areas, State Reserves, State Parks, and State Historical Units all work to perpetuate our enjoyment of aesthetic, natural, scenic, and environmental qualities. They also provide refuge for wildlife; especially when they are of sufficient size to support complete ecosystems.

The legislature recognizes the importance of balancing our economic health with our mental and spiritual health. Great weight should be given by decision makers to the importance of State Parks and Wilderness Areas in maintaining the "qualitative factors" important to our well being when attempting to advance our economic well being. Essentially, State Parks and Wilderness Areas are an implementation of the legislators' intent when they enacted CEQA.

Informational Document

CEQA was conceived primarily as a means to require public agency decision makers to consider and document the environmental impacts of their actions. Therefore, it is first and foremost incumbent upon the preparers of the Draft EIR/EIS to expose and discuss these potential impacts for the edification of the decision makers²; to enable them to make the balanced, well-reasoned decisions required by CEQA³. CEQA Guidelines §15126.6(a) states⁴:

An EIR shall describe a range of reasonable alternatives to the project or to the location of the project, which would feasibly attain most of the basic objectives of the project or substantially lessen any of the significant effects of the project.

The force and effect of the foregoing statement turns largely on the definition of "reasonable" and "feasible". CEQA Guidelines do not define "reasonable"⁵, but §15364 defines "feasible" as:

² California Public Resource Code §21003(b) states: The purpose of an environmental impact report is to identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided.

³ All technical reviewers of the Draft EIR/EIS we have spoken to have characterized the document as superficial.

For example, see Professor Coleman's letter Appendix A.

⁴ Underlining in this and other citations added for emphasis.

⁵ *Black's Law Dictionary* defines reasonable as: Just; proper. Ordinary or usual. Fit and appropriate to the end in view".

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Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, or technological factors.

Therefore, the Draft EIR is free to consider alternatives that are currently prohibited by law, but must explore the feasibility of changing any such law and the social issues surrounding that change.

Furthermore, CEQA Guidelines §15126.6, *Consideration and Discussion of Alternatives to the Proposed Project*, contain the phrase:

...which would feasibly attain most of the basic objectives of the project or substantially lessen any of the significant effects of the project.

Thus, CEQA expects a balance between meeting project objectives and environmental objectives. In other words, environmental objectives are not always to be reduced in favor of maximizing economic or other issues that advance the project objective; at times the project goals should be reduced (modified) to avoid substantial impacts to the environment.

The Draft EIR mentions⁶ that two of the proposed alternative rail alignments linking the Central Valley with the Bay Area would pass through Henry W. Coe State Park, and a large [State] Wilderness Area within the park. However, it fails to explore the ramifications of this important fact pursuant to the requirements of CEQA⁷. The Draft EIR/EIS also fails to note the fact that a General Plan⁸ and Resource Inventory⁹ exist for Henry W. Coe State Park and omits these documents from the analysis and list of references, although it refers to numerous City and County General Plans. Furthermore, technical data obtained by us from Parsons Brinkerhoff (one of the Authority's contractors) notes that two proposed alignments pass through the Wilderness Area within the park but they fail to note that the minimize tunnel option also passes through an area of Henry W. Coe State Park known as the "Thomas Addition".

We assert that this failure of the preparers to seek out information about the State Park and State Wilderness Area which would be transected by two of their proposed alignments must be corrected in the Final EIR/EIS, if not before.

Legal Importance of Wilderness Classification

The California Wilderness Act of 1974¹⁰, as amended (Public Resource Code §§5093.30 through 5093.40) defines wilderness and directs various State Agencies to review State owned land for possible preservation. Public Resource Code §5093.31 states, in part:

It is hereby declared to be the policy of the State of California to secure for present and future generations the benefits of an enduring resource of wilderness.

⁶ See DEIR pages 2-53, 3.7-13, 3.7-15, 3.15-6, 3.15-21, 3.15-22, 3.16-7.

⁷ CEQA Guidelines §15125, et al.

⁸ Henry W. Coe General Plan, dated October 1985. Available from the California Department of Parks & Recreation. A copy on CD is also included with this letter.

⁹ The Resource Inventory, dated circa 1984, is available from DPR.

¹⁰ Not to be confused with the Federal "California Wilderness Act of 1984".

§5093.33(a) states:

There is hereby established a California wilderness preservation system to be composed of State-owned areas designated by the legislature as "wilderness areas" and units of the State Park system classified as "state wildernesses" by the State Park and Recreation Commission¹¹ ... and these shall be administered for the use and enjoyment of the people in such a manner as will leave them unimpaired for future use and enjoyment as wilderness, provide for the protection of such areas, preserve their wilderness character, and provide for the gathering and dissemination of information regarding their use and enjoyment as wilderness.

§5093.36(b) states, in part:

...there shall be no commercial enterprise and no permanent road within any wilderness area and, except as necessary for emergencies involving the health and safety of persons within the wilderness area, there shall be no temporary road, no use of motorized equipment, or motorboats, no landing or hovering of aircraft, no flying of aircraft lower than 2,000 feet above the ground, no other form of mechanical transport, and no structure or installation within any wilderness area.

Therefore, the construction and operation of a train is prohibited by law within a wilderness area. In fact, all trail construction and maintenance within a wilderness area must be performed with hand tools. Even bicycles, which are considered as mechanized transportation, are prohibited in wilderness areas.

The California Wilderness Act provides a method for identifying and selecting land for preservation. It provides no mechanism for the removal of land once it has been so classified.

We also wish to note that declassification of the Henry W. Coe State Wilderness, which is approximately 25% of the State land in Northern California classified as wilderness, would essentially eviscerate the State Wilderness Act. To do so would be tantamount to interpreting the legislators' intent in §5093.31 as follows:

It is hereby declared to be the policy of the State of California to secure for present and future generations the benefits of an enduring resource of wilderness until some other use is found for the land.

The State Legislature created The High-speed Rail Authority by the enactment of Public Utilities Code §§185000 et cetera. §185032 (b) states:

The plan, upon completion, shall be submitted to the Legislature and the Governor for approval by the enactment of a statute.

So, the plan ultimately becomes a political issue.

It appears to us, and we assert that, declassification of wilderness land is an infeasible undertaking pursuant to CEQA and the Public Utilities Code. Certainly the Final EIR/EIS should explore this issue.

¹¹ Henry W. Coe State Wilderness Area (also known as "The Orestimba Wilderness") was so classified by the State Park and Recreation Commission concurrent with the approval of the Henry W. Coe General Plan adopted on May 10, 1985 by resolution 33-85.

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However, declassification as wilderness area would not be sufficient to permit a train to transect the area because the area is also within the boundaries of Henry W. Coe State Park and such non-mission uses are prohibited within State Parks. Public Resource Code §5019.53 states:

State parks consist of relatively spacious areas of outstanding scenic or natural character, oftentimes also containing significant historical, archaeological, ecological, geological, or other similar values. The purpose of state parks shall be to preserve outstanding natural, scenic, and cultural values, indigenous aquatic and terrestrial fauna and flora, and the most significant examples of ecological regions of California, such as the Sierra Nevada, northeast volcanic, great valley, coastal strip, Klamath-Siskiyou Mountains, southwest mountains and valleys, redwoods, foothills and low coastal mountains, and desert and desert mountains.

Each state park shall be managed as a composite whole in order to restore, protect, and maintain its native environmental complexes to the extent compatible with the primary purpose¹² for which the park was established.

Improvements undertaken within state parks shall be for the purpose of making the areas available for public enjoyment and education in a manner consistent with the preservation of natural, scenic, cultural, and ecological values for present and future generations. Improvements may be undertaken to provide for recreational activities including, but not limited to, camping, picnicking, sightseeing, nature study, hiking, and horseback riding, so long as those improvements involve no major modification of lands, forests, or waters. Improvements that do not directly enhance the public's enjoyment of the natural, scenic, cultural, or ecological values of the resource, which are attractions in themselves, or which are otherwise available to the public within a reasonable distance outside the park, shall not be undertaken within state parks.

State parks may be established in the terrestrial or nonmarine aquatic (lake or stream) environments of the state.

Therefore, it appears to us, and we assert that, current State Law prohibits transecting a State Park with a new transportation corridor and that removal of the subject land from the State Park is an infeasible undertaking pursuant to CEQA. Certainly the Final EIR/EIS should explore this issue.

Eminent Domain

We are aware of Public Utilities §611 which states as follows:

A railroad corporation may condemn any property necessary for the construction and maintenance of its railroad.

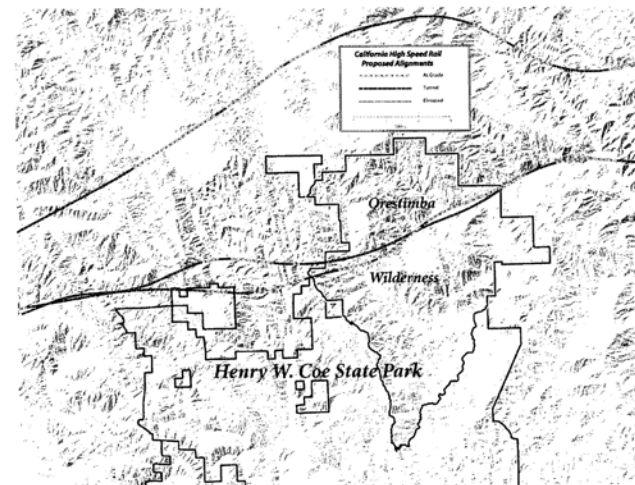
The power granted to the High-speed Rail Authority by the above is a limited, discretionary power. The power is only available if it is necessary for the construction or operation of the railroad. It is not available merely to optimize the economic advantage or for the convenience of the Authority.

¹² The **Declaration of Purpose** of Henry W. Coe State Park is as follows: The purpose of Henry W. Coe State Park is to make available to the people for their inspiration, enlightenment, and enjoyment, in an essentially natural condition: the rugged, scenic landscape and wildland values of the inner central coast range of California; the native oak woodlands, riparian corridors, chaparral, and grass lands which are representative of one of California's classic landscapes; the wildlife and naturally functioning ecosystems therein; and the history and significant cultural features of human occupation and activity. The department shall prescribe and execute a program of resource management to perpetuate the park's declared values. The department shall provide recreational facilities that make available these values in a manner that is consistent with their perpetuation. Park management shall take into account, and, if necessary, regulate, the human uses for which the park is intended.

We assert that the Authority is subject to the California Wilderness Act, CEQA, and other laws. The Authority may only invoke its eminent domain power out of necessity. The Draft EIR/EIS proposes alignments it considers economically and operationally feasible in addition to the two through the Henry W. Coe State Wilderness area. Therefore, an alignment that would transect the wilderness area is not a necessity and the use of eminent domain to preempt the California Wilderness act is barred. Furthermore, the Draft EIR/EIS fails to educate the decision makers about this issue, as required by CEQA.

Diablo Range Alignments

These alignments would create a new transportation corridor through the Diablo mountain range. This would open the door for the creation of a new highway through this corridor at a future date. In fact, for safety reasons it would then become desirable to have a highway paralleling the high-speed rail through this otherwise inaccessible area¹³. However, existing State and Federal law discourages the creation of new transportation corridors whenever possible. Furthermore, it is also incompatible with the Agency's mandate in the California Public Utilities Code that creates and empowers the Agency¹⁴.



¹³ The failure of the EIR/EIS to analyze this foreseeable consequence is a violation of CEQA.

¹⁴ §§185000 Et Cetera.

Comment Letter 0014 Continued

Recommended Hybrid Alignment

The following table lists several issues that were considered by us while developing our recommended hybrid alignment and compares the impacts or effects all five proposed alignments.

Our proposed hybrid alignment adds a few miles and therefore a few minutes to the travel time between Los Angeles and San José. However, it should be less expensive to develop than most other alignments. Furthermore, it completely avoids all but one¹⁵ of the areas that have been set aside for preservation and minimizes the impact to that area by cutting across Romero Creek rather than following it to Santa Nella Village. The hybrid alignment also advances the economic interests of both Merced and Santa Clara County.

Scores are weighted geometrically as follows: 0 = no impact; 2 = low impact; 4 = moderate impact; 8 = high impact and; 16 = extreme impact

Route Impact Score Sheet		Northern Tunnel	Tunnel Under Park	Minimize Tunnel	Pacheco Pass	Hybrid Alignment
1	New transportation corridor through mountains	16	16	16	4	4
2	sprawl inducement	2	2	2	16	2
3	Wetland impact	8	8	8	16	8
4	Henry W. Coe Park and Wilderness impacts	4	8	16	0	0
5	Romero Creek riparian impacts	0	0	0	16	8
6	Orestimba Creek riparian impacts	0	16	16	0	0
7	Robinson Creek riparian impacts	0	8	16	0	0
8	Coyote Ridge/Metcalf Canyon ecosystem impacts	16	16	16	0	0
9	Nature Conservancy Simon-Newman impacts	16	16	16	0	0
10	Nature Conservancy Romero Ranch impacts	0	0	0	16	16
11	Impact to Merced interests	0	0	0	16	0
12	Impact to South Bay interests	0	0	0	0	0
13	Impacts to System Operational Efficiency	0	0	0	2	4
14	Impact on Energy Efficiency	16	16	16	4	4
Impact Score		78	106	122	90	46

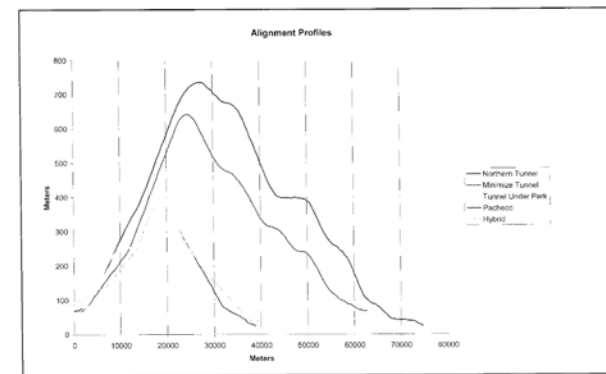
Comments to Route Impact Score Sheet by row number.

- Pacheco Pass alignment "roughly" follows SR152, effectively widening the existing transportation corridor. Our Hybrid Alignment follows the same route.
- The Pacheco Pass Alignment will create a new city at Santa Nella Village. All others will only induce growth in existing cities such as Merced, San Jose, and possibly Gilroy.
- All alignments cross wetlands and portions of designated flood plains. The Pacheco Pass is the worst, crossing approximately 24 miles of wetlands and flood plains.
- The Minimize Tunnel Alignment is a "scorched earth" alternative. "Tunnel Under the Park

¹⁵ The Nature Conservancy's Romero Ranch.

Alignment" has potential impacts that have not been studied¹⁶, impacts during construction are certain. Any activity violates the California State Wilderness Act. The Northern Tunnel Alignment indirectly affects Henry W. Coe by interrupting the ecosystem and will have hydrologic impact due to the high water table in the San Antonio and Isabel Valleys.

- The Pacheco Pass Alignment follows Romero Creek for approximately 4.4 miles. Our hybrid alignment crosses it once.
- Tunnel Under the Park and Minimize Tunnel Alignments will be in or near the Orestimba Creek for 14 miles or more.
- The minimize Tunnel Alignment will destroy Robinson Creek. The Tunnel Under the Park Alignment will cause damage that could be mitigated to some degree.
- Three routes damage the sensitive serpentine areas that are home to species found only there or in a few other locations.
- The first three alignments cut through The Nature Conservancy's Simon-Newman Ranch. The Northern Tunnel Alignment might be less damaging.
- The Nature Conservancy Romero Ranch will be severely impacted by both the Pacheco Pass and Hybrid Alignments but the hybrid alignment traverses less ranch land.
- The Pacheco Pass Alignment places the City of Merced on a spur.
- San Jose is served equally by all options.
- Our Hybrid Alignment adds approximately 22 miles to the total trip. The Pacheco Pass Alignment eliminates that extra mileage but places the proposed Merced Maintenance Yard on a spur.
- The elevation profiles of the five alignments are depicted in the following chart. Note that the elevation gain and transition distance are substantially greater in the first three alignments than in the Pacheco Pass and Hybrid alignments. The Pacheco Pass and Hybrid alignments are therefore more energy efficient, reducing operating costs for the life of the system.



¹⁶ See Appendix A, letter from Robert G. Coleman Professor of Geology Emeritus Stanford University.

Comment Letter 0014 Continued

In Summary

The Draft Program EIR/EIS may be adequate for comparing the overall environmental impacts of the various transportation modes, automobile, air, and rail, which, of course, it is required to do. However, it is woefully inadequate in its selection and analysis of the various rail alignments, "lacks meaningful detail", and, therefore, fails to make a "good faith effort" to inform the decision makers and the public.

The Draft EIR/EIS does not even consider the concept of avoiding environmentally sensitive and/or legally restricted areas. Instead, it simply limits itself to possible mitigation within a range of up to 1,000 feet on either side of the centerline of proposed alignments. It appears to take the simple-minded approach that any alignment is going to cause environmental damage so the choice between alignment options is environmentally inconsequential. The decision makers must be apprised of their duty under CEQA to give major consideration to honoring existing California laws.

The reason why we have NEPA and CEQA today is that in the past the environment was given little or no value with respect to economic interests. The taking of resources for often short-term economic gain was maximized by ignoring the long-term effects of both the taking itself and manner in which it was performed. As a consequence we are now suffering, both from a health and safety and an economic perspective, the long-term effects of those short-term economic gains. We now live in a more enlightened age; those days are supposed to be behind us. Apparently that is not the case with this project. If the environment is given no value, then the environment will always lose, and posterity will suffer the long-term effects of our short-sightedness.

The Draft EIR/EIS ignores the mandate of government to both refrain from creating new transportation corridors and to preserve wilderness land. These errors must be corrected in the final version of the EIR/EIS.

State Wilderness Areas and State Parks will become increasingly precious to the people of California as the state's population increases over the years. This increasing population will, of course, require additional improvements that could negatively impact upon these protected areas. It is the duty of the decision makers to balance these two competing requirements¹⁷.

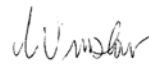
Yours Truly,



Dennis W. Pinion
Director,
Advocates for Coe Park



Robert D. Patric
Engineer



Dr Winslow R. Briggs
Professor of Biology Emeritus
Stanford University

¹⁷ § 21002. Approval of projects; feasible alternative or mitigation measures

The Legislature finds and declares that it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects, and that the procedures required by this division are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects. The Legislature further finds and declares that in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.

Appendix A

Date sent: Mon, 3 May 2004 15:23:41 -0700To: Winslow Briggs
From: Robert Coleman
<coleman@pangea.stanford.edu>
Subject: Re: Draft EIR, California High-Speed Rail Authority
Copies to: "Rima Ghannam"
To: Winslow Briggs and Rima Ghannam:

I have been able to look at HST-DEIR for Diablo Range crossings at Pacheco Pass and Henry Coe State Park from a geological viewpoint. I found the geological sections quite superficial using out of date geologic information. This suggests that no attempt had been made to investigate what problems might exist when carrying out such extensive tunneling. The geology of the Diablo Range at both of these sites is similar. These crossings all lie within the Franciscan complex that consist of a huge melange (marble cake mixture) formed in an oceanic trench. The main rock is graywacke sandstone and shale with lesser amounts of greenstone (altered basalt), chert (deep water marine sediments), serpentine, and minor amounts of metamorphic rock allied glaucophane schist and eclogite.

Unlike other terrains there is no consistency in the relationships between each rock type because these rocks have been broken and dismembered by millions of years of earthquake movements within the oceanic trench and later within in the San Andreas Fault system. Careful geologic and geophysical mapping is required even before tunneling can begin. Major faults parallel the Diablo Range and still contribute to its geologic deformation that could endanger long term tunnel and track alignments.

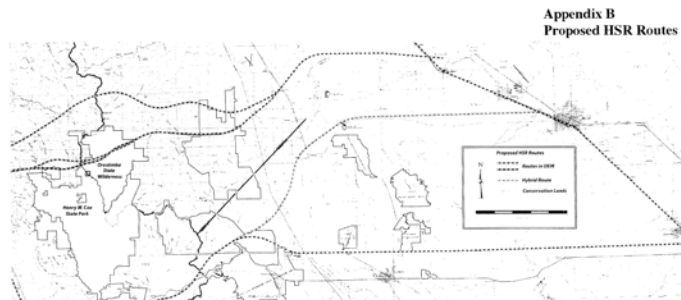
The first tunnel to cross the Diablo Range was the Hetch Hetchy that still carries water from the Sierra Nevada and far as I know has not suffered major earthquake related damage. It would be prudent to learn about any problems on this pipeline within the Diablo Range. The second tunnel to traverse the Diablo Range brings water from the San Luis Reservoir across Pacheco Pass into Santa Clara Valley. This is a recent BLM project and there should be considerable engineering information on the construction which would be invaluable in locating any of the tunnels within this crossing. The US Geological Survey has now completed the Preliminary Geologic Description of the San Jose 30 X 60 Minute quadrangle, California: A Digital Database (USGS OFR 98-795) contact Carl Wentworth <cwent@usgs.gov>. This is the most up to date map available that covers parts of these crossings.

From my vantage point I believe the Pacheco Pass crossing would be preferred as there is more engineering and geologic knowledge about this area and it does not encroach on any park land.

Robert G. Coleman Professor of Geology Emeritus Stanford University
5/3/04

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cont.

Comment Letter 0014 Continued



**Response to Comments of Advocates for Coe Park, July 9, 2004
(Letter 0014)**

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Please see standard response 6.3.1. Future study of the identified northern mountain crossing corridor (Bay Area to Central Valley) will consider various alignment options within the corridor. These options would be identified in the scoping process and would include consideration of alignment options suggested by others, such as the hybrid alignment option suggested in the comment letter from the Advocates for Coe. Please also see standard response 3.16.1 which describes the Authority's efforts to lay out potential HST alignment options so as to avoid crossing public park properties. Also see Section 2.6.9 of the Final Program EIR/EIS which describes criteria for the proposed HST system including focusing on the use of existing transportation corridors in order to reduce potential environmental impacts. The interpretations of various provisions of state laws which are included in the comment do not require responses. As noted in Chapter 3, the Program EIR/EIS considered numerous provisions of state and federal law. The use of available data and the level of detail included are appropriate for this program EIR/EIS. Should the HST proposal move forward, field work will be preformed in future project-specific studies.